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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

In re DAVID P., a Person Coming Under  
the Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

DAVID P.,

Defendant and Appellant.

D061911

(Super. Ct. No. J231253)

APPEAL from an order of the Superior Court of San Diego County, Richard R.  
Monroy, Judge. Affirmed.

David P. (Minor) appeals the juvenile court's dispositional order entered after he admitted an allegation that he carried on his person a switchblade knife having a blade two inches or longer. Appointed counsel filed a brief pursuant to *Anders v. California* (1967) 386 U.S. 738 (*Anders*) and *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) that

raised no claims of error. Minor did not respond to our invitation to file a supplemental brief. Having reviewed the record and found no reasonably arguable issues, we affirm.

### FACTUAL AND PROCEDURAL BACKGROUND

Minor approached a tow truck driver who was attempting to tow a vehicle and ordered him not to do so because, Minor claimed, he was "in charge around here." The driver told Minor to get away from him, but Minor pushed the driver and punched him in the face. After police were summoned, they searched Minor and found a folding knife with a spring-assisted blade in his waistband. Minor was arrested and transported to juvenile hall.

When interviewed by a probation officer, Minor admitted to smoking marijuana and drinking alcohol. Minor stated that he had last consumed alcohol and smoked marijuana two weeks before the interview. He further stated that he smokes marijuana and drinks alcohol twice per month.

The People filed a petition alleging Minor committed a misdemeanor battery on the tow truck driver (count 1; Pen. Code, § 242) and carried on his person a switchblade knife having a blade two or more inches long (count 2; *id.*, § 21510, subd. (b)).

At the readiness hearing, Minor admitted count 2, and the juvenile court sustained the petition as to that count. The court dismissed count 1.

At the disposition hearing, the juvenile court adjudged Minor a ward of the court; placed him with his mother; and ordered that the care, custody and control of Minor be supervised by a probation officer. Among the conditions of probation ordered by the court were that Minor participate in a substance abuse treatment and testing program if

directed by the probation officer; and that he not possess or use alcohol, any controlled substance, or any substance Minor knows or reasonably should know is a mind-altering substance, without a valid prescription.

## DISCUSSION

Appointed appellate counsel has filed a brief summarizing the facts and the proceedings in the juvenile court. Counsel presented no argument for reversal, but invited this court to review the record for error in accordance with *Wende, supra*, 25 Cal.3d 436. Pursuant to *Anders, supra*, 386 U.S. 738, counsel identified the following as a possible but not an arguable issue: "Whether the [juvenile] court abused its discretion in ordering [M]inor to participate in a drug abuse program and be tested for drugs because drugs had no relationship to the charged offense." After we received counsel's brief, we gave Minor an opportunity to file a supplemental brief, but he did not respond.

A review of the record pursuant to *Wende, supra*, 25 Cal.3d 436, and *Anders, supra*, 386 U.S. 738, including the issue suggested by counsel, has disclosed no reasonably arguable appellate issue. Minor has been adequately represented by counsel on this appeal.

DISPOSITION

The order is affirmed.

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IRION, J.

WE CONCUR:

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McCONNELL, P. J.

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McDONALD, J.